

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS (BOSTON)

In re:

LEV GOLDFARB and
LYDMILA ROGALIN,
Debtors

Chapter 13
Case No. 16-12339

EUGENE PELIKOV,
Plaintiff
Vs.

Adversary Proceeding
No: 16-01131-FJB
No. 16-01168-FJB
(consolidated)

GOLD AND FARB, INC.,
LEV GOLDFARB,
ALEXANDER GOLDFARB AND
LYDMILA ROGALIN
Defendants.

JOINT MOTION FOR ENTRY OF AMENDED SCHEDULING ORDER
AND TO CONTINUE TRIAL DATE

The Plaintiff, Eugene Pelikhov, the Debtors/Defendants, Lev Goldfarb and Lydmila Rogalin, and the Non-Debtor/Defendants, Gold and Farb, Inc., and Alexander Goldfarb (hereinafter collectively referred to as the “Parties”) jointly and through their respective counsel move this Court to amend the Scheduling Order and to continue the trial.

In support of such request the movants state as follows:

1. On July 19, 2017 this Court issued an order setting forth the following deadlines for the pre-trial proceeding.
 - a. The Parties shall complete their discovery on or before November 20, 2017.
 - b. The Parties shall file dispositive motions, if any, on or before December 20, 2017
 - c. The Parties shall file a Joint Pre-Trial Memorandum on or before January 15, 2018.
 - d. The Court will hold a final pre-trial conference on January 22, 2018 at 10:00 a.m.
 - e. The Court will hold a trial in this proceeding beginning January 29, 2018 and continue each day through February 2, 2018.

2. This Court's Order dated September 21, 2017 granted the Joint Motion filed by the Parties for Entry of an Amended Scheduling Order and to Continue Trial Date. The deadlines were extended as follows:
 - a. The Parties shall complete their discovery on or before February 20, 2018.
 - b. The Parties shall file dispositive motions, if any, on or before March 20, 2018.
 - c. The Parties shall file a joint Pre-Trial Memorandum on or before April 16, 2018.
 - d. The Court will hold a final Pre-Trial Conference on April 24, 2018, at 10:30 a.m.
 - e. The Court will hold a trial in this proceeding on May 7, 8, 9, 10, and 11 2018.
3. Counsel for the Parties have agreed that an additional 90 days are necessary to complete discovery.
4. In view of this, as well as ongoing settlement negotiations the Parties have agreed to jointly seek this Honorable Court's order amending the foregoing deadlines as follows:
 - a. The Parties shall complete their discovery on or before Monday, May 21, 2018.
 - b. The Parties shall file dispositive motions, if any, on or before Monday, June 18, 2018.
5. The Parties further respectfully request this Court to set up new deadlines for the filing of the Joint Pre-Trial Statement, and to set up new dates for the final Pre-Trial Conference and to establish a new trial date.
6. In support of such request the Parties submit that the requested continuance is necessary to give the Parties adequate time to complete the discovery, negotiate a settlement to this matter, and would be likely to improve the quality of trial preparedness.

WHEREFORE, the Parties respectfully request this Court to issue a Scheduling Order in accordance with the above agreement between the Parties or such order as this Court deems just and proper.

[signature lines on following page]

LEV GOLDFARB and
LYDMILA ROGALIN
By their counsel:

/s/ Vladimir von Timroth

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DATED: February 9, 2018

CERTIFICATE OF SERVICE

I, Vladimir von Timroth, do hereby certify that I will, upon receipt of the notice of electronic service, serve a copy of the within document by mailing the same to any of the parties below who are not deemed to have consented to electronic notice or service under EFR 9.

/s/ Vladimir von Timroth

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Dated: February 9, 2018

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